

CITY OF NEWPORT DOCKET OF THE COUNCIL

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on **April 27, 2011, at 6:30 p.m.**

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN'S FORUM: (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Minutes of the April 13, 2011, Council Meeting (Approve)
 - b. Special Event Licenses:
 - 1) Curl Up & Dye, by Jill Greenman, d/b/a 4th Annual Art Fundraiser; 104 Broadway (parking lot in rear), May 1, 2011, from 2:00 p.m. to 7:00 p.m.
 - 2) Aquidneck School PTG, d/b/a Aquidneck School Variety Show; Rogers High School, May 13, 2011, from 6:00 p.m. to 9:00 p.m.
 - 3) Salve Regina University, d/b/a Fire Works Display; east end of Webster St., May 13, 2011, from 9:15 to 9:30 p.m.

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

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- 4) Fort Adams Trust, d/b/a Fort Adams Family Day; Fort Adams State Park, June 4 (rain date, June 5), 2011, from 11:00 a.m. to 4:00 p.m.
 - 5) SVF Foundation, d/b/a Annual Visitors Day; 152 Harrison Ave., June 11, 2011, from 9:00 a.m. to 3:00 p.m.
 - 6) Fort Adams Trust, d/b/a Summer Solstice Fundraiser; Fort Adams State Park, June 17, 2011, from 7:00 p.m. to 10:30 p.m.
 - 7) The Ally Foundation, d/b/a “Beacon Rocks...For a Change”; 147 Harrison Ave., June 25, 2011, from 7:00 p.m. to 11:00 p.m.
 - 8) St. Spyridon’s Church, d/b/a Hellenic Fest 2011; church parking lot at Thames & Brewer Streets; July 22 and 23, 2011, from Noon to Midnight, July 24, 2011, from Noon to 6:00 p.m.
 - 9) Jesus Saviour Church, d/b/a Summer Bazaar; church parking lot on Vernon Ave., July 28, 29 and 30, 2011, from 7:00 p.m. to Midnight.
- c. Banner License, New England Rugby Football Union/Newport Rugby Football Club, welcoming players to the New England Rugby Tournament; between 348 and 343 Thames Street, May 14-18, 2011. (Approve subject to details being worked out with city administration.)
- d. Bingo License, Jesus Saviour Church (Summer Bazaar); church parking lot, Vernon Ave., July 28, 29 and 30, 2011, from 7:00 p.m. to Midnight.
- e. Food Concession License:
- 1) Jesus Saviour Church (Holy Ghost Feast); Fenner Ave. Hall, 15 Fenner Ave., June 19, 2011, from 11:00 a.m. to 7:00 p.m.
 - 2) Jesus Saviour Church (Summer Bazaar); church parking lot on Vernon Ave., July 28, 29 and 30, 2011, from 7:00 p.m. to Midnight.
 - 3) St. Spyridon’s Church (Hellenic Festival); church parking lot at Thames and Brewer Sts., July 22 and 23, 2011, from Noon to Midnight; July 24, 2011, from Noon to 6:00 p.m.
- f. Holiday Selling License, New:

- 1) CKTW Enterprises, LLC, d/b/a Adornment Fine Jewelry, 213 Goddard Row.
 - 2) Natural Publications, LLC, d/b/a NV Charts & Books, 62-64 Thames St.
 - 3) Teddy Incorporated, d/b/a Teddy, 424 Thames St.
 - 4) Scooter World, LLC, d/b/a Scooter World, 11-12 Christie's Landing
 - 5) James Wagner, d/b/a Better Feet Arch Supports, 337 Thames St.
- g. Holiday Selling License, Renewals:
- 1) Brainwaves Toy Shop, Inc., d/b/a Brainwaves, Toy Shop, 8 Bowen's Wharf.
 - 2) C.O.T., Inc., d/b/a S.O.L. Optics, 393 Thames St.
 - 3) Kees, Inc., d/b/a Reign Gallery, 192 Thames St.
 - 4) Two Hogs, LLC, d/b/a Del Sol, 203 Goddard Row
 - 5) Rafic El Hariri, d/b/a Handy Variety, 458 Thames St.
- h. Pedicab Operator Licenses:
- 1) Guy Akucewich, Jr., 763 Mitchell's Lane, Middletown, RI
 - 2) Ronald P. Augustus, Jr., 14 Hampden Dr., Bristol, RI
 - 3) Dean Thomas DeBenedictis, 52 Leo Way, East Bridgewater, MA
- i. Communication from Myra Duvally, President, Benefactors of the Arts, requesting permission to erect an 8' x 8' tent top in Storer Park to sell tickets to the annual Secret Garden Tours, June 17-19, 2011, from 10:00 a.m. to 5:00 p.m. (Approve subject to details being worked out with the city administration.)
- j. Claim of Kim Boiani (Receive and refer to City Solicitor)

LICENSES AND PERMITS

2. **WITHDRAWN**: Application for a Victualing License, New, Bill's Grill on Thames, Inc., d/b/a Bill's Grill on Thames, 262 Thames St. (outdoor lot next to Kilwin's Chocolates) (Continued from April 13, 2011)
3. Application of The Sailor's Sweet Tooth, Inc., d/b/a Kilwin's Chocolates & Ice Cream, 262 Thames St., to include cooking and grilling facilities on the outdoor patio on the north side of the building.

4. Application for a Pedi-cab Business License (6 pedicabs), Renewal, Andrew Croan, d/b/a Pedi-Power Pedi-cabs, Wellington Plaza. (Continued from April 13, 2011)
 - Communication from Michael Eudembach, 21 Lee Ave. transmitting petitions of Lee Avenue and Byrnes St. residents requesting relocation of the Pedi-cab Headquarters from Wellington Plaza.
5. Application for a Pedi-cab Business License (6 pedicabs), Renewal, Newport Pedicab, d/b/a 580 Thames St.
6. Application for a Pedi-cab Business License, New, Rhody Rickshaw, LLC, by James V. Horiagon, d/b/a Rhody Rickshaw, 115-B Winchester Dr., Wakefield, RI (No pedi-cab business licenses available per Section 5.97.130 (E) and (F) of the Codified Ordinances.)
7. Application for a Pedi-cab Operator License, James V. Horigan, 115-B Wincheser Drive, Wakefield, RI
8. Application for a Victualing License, New, Beluga FroYo, LLC, d/b/a Beluga FroYo, 217 Goddard Row
9. Application for a Victualing License, New, La Via del Gusto, LLC, d/b/a La Via del Gusto, 207 Goddard Row
10. Application for a Victualing License, New, Keen-wah Super Food Eatery, LLC, d/b/a Keen-wah Newport, 311 Broadway
11. Application of Mermaids Newport, LLC, d/b/a Poor Richard's—Benjamin's, 254 Thames St., to expand its Victualing License by approximately 243 sq. ft. to an outdoor third-floor deck (in conjunction with expansion of liquor license) (Zoning Board approval required; continue to May 25, 2011)

COMMUNICATIONS & PETITIONS

12. Communication from Turner C. Scott, Esq., on behalf of Verbena, LLC, 155 Ocean Ave., re: Installation of Buried Utility Lines Along Shoulder (of Ocean Ave.) to Replace Existing Overhead Lines between Gooseberry Beach and Carroll Ave. (Continued from April 13, 2011)

13. Communication from Annette Bourbonniere, Chair, Accessibility Advisory Committee, re: Annual Report.

14. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Affirmative Action Commission – Appointment of Councilor Henry F. Winthrop as Council Liaison

Accessibility Advisory Committee – Appointment of Councilor Jeanne-Marie Napolitano as Council Liaison

Thames St. Enhancement Pilot Project Working Group

(Total of 5-8 members from among Newport residents, businesses, a representative from a Newport historic preservation group, and City staff)

Harbor Center Working Group

(Total of 5-8 members from Newport residents, businesses, a representative from the Newport and Bristol County Convention & Visitors Bureau and City staff)

RESOLUTIONS

15. Recognizing and expressing support and appreciation for the efforts of the City of Newport Accessibility Advisory Committee – J. McLaughlin

ORDINANCES

16. Amending Chapter 2.56 of the Codified Ordinances, entitled, “Boards and Commissions,” Section 2.56.010, “General Provisions.” (Second Reading)
17. Amending Chapter 12.36 of the Codified Ordinances, entitled, “Newport Tree and Open Space Preservation and Protection”; Section 12.36.050, “Newport Tree and Open Space Commission.” (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

18. Communication #4833/11, re: Bid Award for Parking Meter Management (with accompanying resolution)

19. Communication #4834/11, re: Bid Award for South Easton Pond Dam Repairs (with accompanying resolution)
20. Communication #4835/11, re: Easton Pond Embankment Repairs, Phase 3 – Construction Oversight Service (with accompanying resolution)
21. Communication #4836/11, re: National Grid Petitions – Carroll Avenue, Avenue, Gooseberry Road, Evarts Street
22. Memorandum from the City Manager, re: Newport Area Career & Technical Building Acquisition Request

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

1. **CONSENT CALENDAR** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Class F Daily Liquor License:
 - 1) Jesus Saviour Church, d/b/a Holy Ghost Feast; Fenner Ave. Hall, 15 Fenner Ave., June 19, 2011, from 11:00 a.m. to 7:00 p.m.
 - 2) Jesus Saviour Church, d/b/a Sumer Bazaar; church parking lot on Vernon Ave., July 28, 29 and 30, 2011, from 7:00 p.m. to midnight.
 - 3) St. Spyridon's Church, d/b/a Hellenic Festival; church parking lot at corner of Thames and Brewer Sts., July 22 and 23, 2011, from Noon to Midnight; July 24, 2011, from Noon to 6:00 p.m.
 - 4) Friends of Jane Pickens Theater, d/b/a Film Screening of "The Promise"; 19 Touro St., April 29 and 30, 2011, from 6:30 p.m. to 10:30 p.m.

- b. Communication from O'Charley's, Inc., parent company of 99 West, Inc., d/b/a 99 Restaurant, 199 Connell Highway, re: Change in Officers (Receive and make part of licensee's file.)

LICENSES AND PERMITS

2. Application of Mermaids Newport, LLC, d/b/a Poor Richard's—Benjamin's, 254 Thames St., first and second floors, to expand the licensed premises of its Class BV alcoholic beverage license by approximately 243 square feet to an outdoor third-floor deck. (Hearing)
(Zoning Board approval required; continue to May 25, 2011)

Kathleen M. Silvia
City Clerk

April 20, 2011